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असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 24th August, 1987:—

BILL NO. 87 OF 1987

A Bill to amend the Shipping Development Fund Committee (Abolition) Act, 1986.

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Shipping Development Fund Committee (Abolition) Amendment Act, 1987.

Short
title.

2. In section 16 of the Shipping Development Fund Committee (Abolition) Act, 1986, in sub-section (1), for the words "this Chapter", the words "this Act" shall be substituted.

Amend-
ment of
Act 66
of 1986.

STATEMENT OF OBJECTS AND REASONS

The Shipping Development Fund Committee (Abolition) Act, 1986, which came into force on the 3rd April, 1987, provided for the abolition of the Shipping Development Fund Committee. Under section 4 of the Act, on the abolition of the Committee, all the rights, privileges, properties, borrowings liabilities, obligations and contracts of the Committee have devolved on the Central Government.

2. Under section 16 of the Act, the Central Government has been empowered to delegate all or any of its powers and functions under Chapter III of the Act to a 'designated person'. It is considered necessary to delegate the powers and functions of the Government under the other provisions of the Act also to a 'designated person' subject to such conditions, restrictions and limitations, as may be notified by the Central Government.

3. The Bill seeks to amend the Act to achieve the above object.

NEW DELHI;

The 17th August, 1987.

NARAYAN DUTT TIWARI

FINANCIAL MEMORANDUM

For the expenditure incurred by the 'designated person' in exercise of the powers and functions delegated, reimbursements will have to be made either by way of reimbursement of expenditure or by payment of a small management fee. At this stage it is difficult to correctly estimate such expenditure.

BILL NO. 83 OF 1987

A Bill to provide for the exemption of employers in relation to establishments employing a small number of persons from furnishing returns and maintaining registers under certain labour laws.

BE it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1987.

(2) It extends to the whole of India:

69 of 1981. Provided that nothing contained in this Act, in relation to the Plantations Labour Act, 1951 shall extend to the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States, and any reference in any provision of this Act to the commencement of this Act shall be construed as a reference to the coming into force of that provision in that State.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “employer”, in relation to a Scheduled Act, which defines such expression, has the same meaning assigned to it in that Act, and in relation to any other Scheduled Act, means the person who is required to furnish returns or maintain registers under that Act;

(b) “establishment” has the meaning assigned to it in a Scheduled Act, and includes,—

(i) an ‘industrial or other establishment’ as defined in section 2 of the Payment of Wages Act, 1936;

4 of 1936.

(ii) a ‘factory’ as defined in section 2 of the Factories Act, 1948;

63 of 1948.

(iii) a factory, workshop or place where employees are employed or work is given out to workers, in any scheduled employment to which the Minimum Wages Act, 1948, applies;

11 of 1948.

(iv) a ‘plantation’ as defined in section 2 of the Plantations Labour Act, 1951; and

69 of 1951.

(v) a ‘newspaper establishment’ as defined in section 2 of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955;

45 of 1955.

(c) “Form” means a Form annexed to this Act;

(d) “Scheduled Act” means an Act specified in the Schedule and is in force on the commencement of this Act in the territories to which such Act extends generally, and includes the rules made thereunder;

(e) “small establishment” means an establishment in which not less than ten and not more than nineteen persons are employed or were employed on any day of the preceding twelve months;

(f) “very small establishment” means an establishment in which not more than nine persons are employed or were employed on any day of the preceding twelve months.

Amendment of certain labour laws.

3. On and from the commencement of this Act, the Scheduled Acts shall have effect subject to the provisions of this Act.

Exemption from returns and registers required under certain labour laws.

4. (1) On and from the commencement of this Act, it shall not be necessary for an employer in relation to any small establishment or very small establishment to which a Scheduled Act applies to furnish the returns or to maintain the registers required to be furnished or maintained under that Scheduled Act:

Provided that such employer,—

(a) furnishes, in lieu of such returns, a Core Return in Form

A;

(b) maintains, in lieu of such registers,—

(i) registers in Form B, Form C and Form D, in the case of small establishments; and

(ii) registers in Form D and Form E, in the case of very small establishments:

Provided further that every such employer shall continue to—

(a) issue wage slips in the Form prescribed in the Minimum Wages (Central) Rules, 1950 made under sections 18 and 30 of the Minimum Wages Act, 1948 and slips relating to measurement of the amount of work done by piece-rated workers required to be issued under the Payment of Wages (Mines) Rules, 1956 made under sections 13A and 26 of the Payment of Wages Act, 1936; and

(b) file returns relating to accidents under sections 88 and 88A of the Factories Act, 1948 and sections 32A and 32B of the Plantations Labour Act, 1951.

(2) Save as provided in sub-section (1), all other provisions of a Scheduled Act, including in particular, the inspection of the registers by, and furnishing of their copies to the authorities under that Act, shall apply to the returns and registers required to be furnished or maintained under this Act as they apply to the returns and registers under that Scheduled Act.

(3) Where an employer in relation to a small establishment or very small establishment to which a Scheduled Act applies, furnishes returns or maintains the registers as provided in the proviso to sub-section (1), nothing contained in that Scheduled Act shall render him liable to any penalty for his failure to furnish any return or to maintain any register under that Scheduled Act.

5. The commencement of this Act shall not affect,—

Savings.

(a) the previous operation of any provision of any Scheduled Act or the validity, invalidity, effect or consequence of anything done or suffered under that provision, before the relevant period;

(b) any right, privilege, obligation or liability already acquired, accrued or incurred under any Scheduled Act, before the relevant period;

(c) any penalty, forfeiture, or punishment incurred or inflicted in respect of any offence committed under any Scheduled Act, before the relevant period;

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment aforesaid,

and any such investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment shall be instituted, continued or disposed of, as the case may be, in accordance with that Scheduled Act.

Explanation.—For the purpose of this section, the expression “relevant period” means the period during which an establishment is or was a small establishment or a very small establishment under this Act.

11 of 1948.

4 of 1936.

63 of 1948

69 of 1951.

Penalty.

6. Any employer who fails to comply with the provisions of this Act, shall, on conviction, be punishable—

(a) in the case of the first conviction, with fine which may extend to rupees five thousand; and

(b) in the case of any second or subsequent convictions, with imprisonment for a period which shall not be less than one month but which may extend to six months or with fine which shall not be less than rupees ten thousand but may extend to rupees twenty-five thousand, or with both.

Power to
amend
Form.

7. (1) The Central Government may, if it is of opinion that it is expedient so to do, by notification in the Official Gazette amend any Form and thereupon such Form shall, subject to the provisions of sub-section (2) be deemed to have been amended accordingly.

(2) Any notification issued under sub-section (1) shall be laid before each House of Parliament, if it is sitting as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its re-assembly and the Central Government shall seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People, and if Parliament makes any modification in the notification or directs that the notification should cease to have effect only in such modified form or be of no effect, as the case may be, but without prejudice to the validity of anything previously done thereunder.

Power to
remove
difficulties.

8. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date on which this Act receives the assent of the President.

THE SCHEDULE

[See section 2(1)(d)]

- (1) The Payment of Wages Act, 1936 (4 of 1936).
- (2) The Weekly Holidays Act, 1942 (18 of 1942).
- (3) The Minimum Wages Act, 1948 (11 of 1948).
- (4) The Factories Act, 1948 (63 of 1948).
- (5) The Plantations Labour Act, 1951 (69 of 1951).
- (6) The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955).
- (7) The Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970).
- (8) The Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976).
- (9) The Equal Remuneration Act, 1976 (25 of 1976).

FORM A

[See section 4 (1) proviso (a)]

CORE RETURN

RETURN FOR THE YEAR ENDING 31ST DECEMBER

(To be furnished on or before the 15th February of the succeeding Year by small establishments and very small establishments).

1. (a) Name and postal address of the establishment.
- (b) Name and residential address of the employer.
- (c) Name and residential address of the Manager or person responsible for supervision and control of the establishment.
- (d) Name of the principal employer in the case of a contractor's establishment.
- (e) Date of commencement of the establishment.

NATURE OF OPERATION/INDUSTRY/WORK CARRIED ON

2. (a) Number of days worked during the year.
 - (b) Number of man-days worked during the year.
 - (c) Daily hours of work.
 - (d) Day of weekly holiday.
3. (a) Average number of persons employed during the year.
 - (i) Males.
 - (ii) Females.
 - (iii) Adolescents (those who have completed 14 years but have not completed 18 years of age).
 - (iv) Children (those who have not completed 14 years of age).
 - (b) Maximum number of workers employed on any day during the year.
 - (c) Number of workers discharged, dismissed, retrenched or whose services were terminated during the year.
4. Rates of wages—categorywise.
 - (1) Males (2) Females (3) Adolescents (4) Children
5. Gross Wages paid:
 - (a) in cash.
 - (b) in kind.
6. DEDUCTIONS
 - (a) Fines.
 - (b) Deductions for damage or loss.
 - (c) Other deductions.

-
7. Number of workers who were granted leave with wages during the year.
 8. Nature of Welfare amenities provided: Statutory (specify the Statute).
 9. Does the establishment carry out any hazardous process or dangerous operation coming within the meaning of the Factories Act, 1948.
If so, give particulars.
 10. Number of Accidents:
 - (a) Fatal.
 - (b) Non-fatal.
 11. Nature of safety measures provided as required under the Factories Act, 1948.

Signature of the employer with full name in capitals.

Date

Place

FORM B

[See section 4(x) proviso (b) (i)]

REGISTER OF WAGES REQUIRED TO BE MAINTAINED BY SMALL ESTABLISHMENTS

(To be maintained within seven days of the expiry of the wage period)

Name of establishment _____ Name and address of employer _____
 Address (Local) _____ Nature of work _____
 (Permanent) _____ Wage period _____

Sl. No.	Name of the employee	Sex	Designation	Classification, whether permanent/temporary/casual/part-time or any other	Father's or husband's name	Total days/number of units worked	Wages earned							
							Basic wage	Dearness allowance	Over-time	Bonus or gratia	Maternity benefits	Gratuity	Any other allowance.	
							Statutory Minimum rate	Actual						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Wages earned		Deductions										Remarks
Total amount	Advances	Fines due to damage or loss by neglect or default	Provident Fund	Employees' Insurance	Employees' contribution	Employees' contribution	Other deductions indicating the nature	Total deductions	Net amount payable	Signature or thumb impression of employee with date	Signature of Inspector with date	
16	17	18	19	20	21	22	23	24	25	26	27	28

Notes : 1. In case of deduction of any advance taken by an employee, the employer shall also indicate therein the number of instalments paid/total instalments by which advance is to be repaid such as "5/20, 6/20" etc. The purpose of advance shall also be mentioned in the Remarks column.

2. In case of imposition of fines or deduction for damage or loss, the specific act or omission for which the penalty has been imposed has to be indicated in the Remarks column. A certificate shall also be recorded in the said column to the effect that an opportunity to show cause was given to the employee concerned before imposition of fine or deduction.

Signature of the employer with full name in capitals.

Date

Place

FORM C

[See section 4(r) proviso (b) (i)]

MUSTER ROLL TO BE MAINTAINED BY SMALL ESTABLISHMENTS

Name of establishment Name and address of the employer.....
 Address (Local).....
 (Permanent)..... Wage period.....

Serial Number	Name of the employee	Date of employment	Permanent address	Age or date of birth	Father's or husband's name	For the period ending..... Number of units of work done during	Total atten- dance
1	2	3	4	5	6	7	8

Total overtime worked ¹	Total production in case of piece- rated workers ²	Compensatory rest ³		Signature of Inspector with date	Remarks
		Brought forward from previous wage period	Given during the wage period		
9	10	11	12	13	14

- NOTES: 1. In the case of daily-rated workers, the extent of overtime done on each occasion has to be reflected against each concerned date, such as "P/1" meaning "Present with one hour's overtime," "P/1-2" meaning "Present with one and a half hour's overtime" and so on.
2. The number of units of work done by a piece-rated worker has to be noted for each day in the Register. In case of employment of any child/adolescent the employer shall indicate the hours worked each day with intervals of rest.
3. The compensatory rest availed by the worker has to be marked in the Register in red ink as 'CR'.
4. Column 7 to be filled up on each working day and the remaining columns to be completed within seven days of the expiry of the wage period.

Date.....

Signature of the employer with full name in capitals.

Place.....

FORM D

[See section 4(r) proviso (b) (i) and (ii)]

MONTHLY REGISTER SHOWING WELFARE AMENITIES TO BE MAINTAINED BY
SMALL ESTABLISHMENTS AND VERY SMALL ESTABLISHMENTSName and address of the
employerAddress of the establishment : For the month of.....
Local/Permanent

Serial Number	Name of the employee	Sex	Designa- tion	Weekly day of rest	Dates of holidays for festivals or similar other occasions	Number of casual leave availed by the employee	Quantum of annual leave with wages	
							Due	Availed
1	2	3	4	5	6	7	8	9

Whether Welfare Amenities provided for			Whether Scheduled Caste/Scheduled Tribe, Handicapped, or any other parti- cular category	Signature of the employer or his agent	Remarks of the Inspecting Officer	Signature of Inspector with date
Rest room	Drinking water	First aid				
10	11	12	13	14	15	16

Note : To be completed within seven days of the expiry of each calendar month.

Date.....

Signature of the employer with full name in capitals.

Place.....

FORM E

[See section 4 (r) proviso (b) (ii)]

MONTHLY REGISTER OF MUSTER ROLL-CUM-WAGES REQUIRED TO BE MAINTAINED BY VERY SMALL ESTABLISHMENTS

Year _____

Month _____ or

Wage period

(where different) _____

Name of establishment _____

Name of employee _____ Father's name _____

Nature of work _____ Rate of wages _____

Wage period _____ Date of employment _____

Date	Hours of work		Interval for Rest and Meal		Hours worked with the employer	Overtime		Casual or sickness leave availed during the month/ wage period	Privilege Leave		Leave Balance	Signature of the employer	Remarks of the employer
	From	To	From	To		Hours worked	Wages earned		Leave due	Leave availed			
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Remuneration Due				Deductions					Net amount of payment	Date of payment	Signature or thumb impression of the employee	Signature of Inspector with remark, if any, and date
Basic salary or wago	Overtime	Other allowances, if any	Total	Fines and deductions on account of damage or loss by neglect or default	Other deductions	Advance paid, if any						
						Date	Amount	Total				
15	16	17	18	19	20	21	22	23	24	25	26	27

Note : Columns 1 to 12 to be filled up on each working day and the remaining column is to be completed within seven days of the expiry of the wage period.

Date

Place

Signature of the employer with full name in capitals

STATEMENT OF OBJECTS AND REASONS

Rules and regulations framed under various labour laws provide for maintenance of registers in prescribed formats and periodical submission of returns in prescribed forms. There has been persistent demands from small business and industrial establishments for the simplification and reduction in the number of forms and registers required to be maintained/submitted by small establishments. A Working Group appointed for the purpose had suggested undertaking of legislation as well as other appropriate measures for simplification and reduction in the number of forms and registers required to be maintained by small establishments. In the light of the recommendations of the Working Group, the matter was considered further at various fora and Government has considered it desirable that establishments employing smaller number of persons should be exempted to a limited extent, from maintaining registers in the prescribed form and from submitting the various returns under certain existing labour laws.

2. A small establishment has been defined in the Bill as an establishment in which not less than ten and not more than nineteen persons are employed or were employed on any day of the preceding twelve months. A very small establishment has been defined as an establishment in which not more than nine persons are employed or were employed on any day of the preceding twelve months.

3. Small establishments will be required to maintain only three muster registers and will be required to submit only one core return in lieu of the existing returns prescribed under the various labour laws. Similarly, very small establishments would be allowed to combine the three muster registers into a single register. Further, they would be required to submit only one annual core return in lieu of the existing returns prescribed under the various labour laws. The forms of the registers and returns have been prescribed in the Bill itself.

4. However, in view of the special requirements of social security legislation such as, recovery of contribution from employers and employees, their accountability reimbursement, etc., no exemption has been given in relation to social security legislation. The enactments from which exemption is sought to be given have been mentioned in the Schedule to the Bill.

5. The Bill seeks to achieve the above objects.

NEW DELHI;

The 12th August, 1987.

P. A. SANGMA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government, by notification in the Official Gazette, to amend any Form annexed to the Bill, and where such a notification is issued, the relevant Form shall be deemed to have been amended accordingly. The notification is subject to affirmative approval by the Houses of Parliament. The Forms annexed to the Bill include therein the details which the employer is required to furnish information under the provisions of the Scheduled Acts. In the operation of the provisions of the Scheduled Acts, after the commencement of the proposed legislation, suitable amendments may be found necessary in all these Forms. Such occasions are likely to arise of and on and it is difficult to approach Parliament every time to amend the Forms. To this extent, the delegation of legislative power could be deemed to be normal in character.

2. Clause 8 of the Bill empowers the Central Government to issue an order for the removal of any difficulty which may arise in giving effect to the provisions of the proposed legislation. Such an order will not be inconsistent with the provisions of the legislation and would not be made after the expiry of a period of two years from the date on which the proposed legislation receives the assent of the President. In this view of the matter, the delegation is normal in character.

BILL NO. 82 OF 1987

A Bill to constitute legal services authorities to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities, and to organise Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity.

BE it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short
title, ex-
tent and
commence-
ment.

1. (1) This Act may be called the Legal Services Authorities Act, 1987.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification, appoint; and different dates may be appointed for different provisions of this Act and for different States, and any reference to commencement in any provision of this Act in relation to any State shall be construed as a reference to the commencement of that provision in that State.

Defini-
tions.

2. (1) In this Act, unless the context otherwise requires,—

(a) "Central Authority" means the National Legal Services Authority constituted under section 3;

(b) "District Authority" means a District Legal Services Authority constituted under section 9;

(c) "legal service" includes the rendering of any service in the conduct of any case or other legal proceeding before any court or other authority or tribunal and the giving of advice on any legal matter;

(d) "Lok Adalat" means a Lok Adalat organised under Chapter VI;

(e) "notification" means a notification published in the Official Gazette;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "scheme" means any scheme framed by the Central Authority, a State Authority or a District Authority for the purpose of giving effect to any of the provisions of this Act;

(h) "State Authority" means a State Legal Services Authority constituted under section 6;

(i) "State Government" includes the administrator of a Union territory appointed by the President under article 239 of the Constitution.

(2) Any reference in this Act to any other enactment or any provision therefore shall, in relation to an area in which such enactment or provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.

CHAPTER II

THE NATIONAL LEGAL SERVICES AUTHORITY

3. (1) The Central Government shall constitute a body called the National Legal Services Authority to exercise the powers and perform the functions conferred on a Central Authority under this Act.

Constitution of the National Legal Services Authority.

(2) The Central Authority shall consist of—

(a) the Chief Justice of India who shall be the Patron-in-Chief;

(b) a serving or retired Judge of the Supreme Court, nominated by the President, in consultation with the Chief Justice of India, who shall be the Executive Chairman; and

(c) such other members, possessing such experience and qualifications as may be prescribed and nominated by the Central Government.

(3) The Central Government shall appoint an officer of the Department of Legal Affairs of the Ministry of Law and Justice of the Government of India, not lower in rank than that of a Special Secretary to that Government as the Member-Secretary of the Central Authority.

(4) The terms and conditions of service of the members of the Central Authority shall be such as may be prescribed by the Central Government.

(5) The Central Government shall provide the Central Authority with such other officers and employees as it considers necessary for carrying out the functions of that Authority under this Act.

(6) The administrative expenses of the Central Authority, including the salaries, allowances and pensions payable to the officers and staff of the Central Authority shall be defrayed out of the Consolidated Fund of India.

(7) All orders and decisions of the Central Authority shall be authenticated by the Member-Secretary or any other officer of the Central Authority duly authorised by him in this behalf.

(8) No act or proceeding of the Central Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Central Authority.

Func-
tions of
the
Central
Authority.

4. The Central Authority shall, subject to the general directions of the Central Government, perform all or any of the following functions, namely:—

(a) lay down policies and principles for making legal services available under the provisions of this Act;

(b) frame the most effective and economical schemes for the purpose of making legal services available under the provisions of this Act;

(c) utilise the funds at its disposal and make appropriate allocations of funds to the State Authorities and District Authorities;

(d) take necessary steps by way of social justice litigation with regard to consumer protection, environmental protection or any other matter of special concern to the weaker sections of the society and for this purpose, give training to social workers in legal skills;

(e) organise legal aid camps, especially in rural areas, slums or labour colonies with the dual purpose of educating the weaker sections of the society as to their rights as well as encouraging the settlement of disputes through Lok Adalats;

(f) encourage the settlement of disputes by way of negotiations, arbitration and conciliation;

(g) undertake and promote research in the field of legal services with special reference to the need for such services among the poor;

(h) to do all things necessary for the purpose of ensuring commitment to the fundamental duties of citizens under Part IVA of the Constitution;

(i) monitor and evaluate implementation of the legal aid programmes at periodic intervals and provide for independent evaluation of programmes and schemes implemented in whole or in part by funds provided under this Act;

(j) recommend to the Central Government grants-in-aid for specific schemes to various voluntary social welfare institutions and the State and District Authorities, from out of the amounts placed at

its disposal for the implementation of the legal services schemes under the provisions of this Act;

(k) develop, in consultation with the Bar Council of India, programmes for clinical legal education and promote guidance and supervise the establishment and working of legal services clinics in universities, law colleges and other institutions;

(l) take appropriate measures for spreading legal literacy and legal awareness amongst the people and, in particular, to educate weaker sections of the society about the rights, benefits and privileges guaranteed by social welfare legislations and other enactments as well as administrative programmes and measures;

(m) make special efforts to enlist the support of voluntary social welfare institutions working at the grass-root level, particularly among the Scheduled Castes and the Scheduled Tribes, women and rural and urban labour; and

(n) coordinate and monitor the functioning of State and District Authorities and other voluntary social welfare institutions and other legal services organisations and give general directions for the proper implementation of the legal services programmes.

5. In the discharge of its functions under this Act, the Central Authority shall, wherever appropriate, act in coordination with other governmental and non-governmental agencies, universities and others engaged in the work of promoting the cause of legal services to the poor.

Central
Autho-
rity to
work in
coordina-
tion
with
other
agencies.

CHAPTER III

STATE LEGAL SERVICES AUTHORITY

6. (1) Every State Government shall constitute a Legal Services Authority for the State to exercise the powers and perform the functions conferred on a State Authority under this Act.

Consti-
tution of
State
Legal
Services
Autho-
rity.

(2) A State Authority shall consist of—

(a) the Chief Justice of the High Court or any other serving or retired Judge of the High Court nominated by the Governor in consultation with the Chief Justice, who shall be the Chairman of the State Authority; and

(b) such other members possessing such experience and qualifications as may be prescribed and nominated by the State Government.

(3) The State Government shall appoint the Law Secretary or the Judicial Secretary of the State as the Member-Secretary of the State Authority.

(4) The terms and conditions of service of the members of the State Authority shall be such as may be prescribed by the State Government.

(5) The State Government shall provide to the State Authority with such officers and employees as it considers necessary for carrying out the functions of that Authority under this Act.

(6) The administrative expenses of the State Authority, including the salaries, allowances and pensions payable to the Member-Secretary and other officers and staff shall be defrayed out of the Consolidated Fund of the State.

(7) All orders and decisions of the State Authority shall be authenticated by the Member-Secretary or any other officer of the State Authority duly authorised by him in this behalf.

(8) No act or proceeding of a State Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the State Authority.

Functions of
the
State
Authority.

7. (1) It shall be the duty of the State Authority to give effect to the policy and directions of the Central Authority.

(2) Without prejudice to the generality of the functions referred to in sub-section (1), the State Authority shall perform all or any of the following functions, namely:—

(a) give legal service to persons who satisfy the criteria laid down under this Act;

(b) conduct Lok Adalats;

(c) undertake preventive and strategic legal aid programmes; and

(d) perform such other functions as the State Authority may, in consultation with the Central Government, fix by regulations.

State
Authority to
act in
coordi-
nation
with
other
agencies
and be
subject
to direc-
tions
given by
the
Central
Govern-
ment,
etc.

8. In the discharge of its functions under this Act, the State Authority shall, wherever appropriate, act in coordination with other governmental agencies, non-governmental voluntary social welfare institutions, universities and others engaged in the work of promoting the cause of legal services to the poor and shall be guided by such directions as the Central Government, the State Government or the Central Authority may give to it in writing.

Constitu-
tion of
District
Authori-
ties.

9. (1) Every State Government shall constitute a Legal Services Authority for every District in the State to exercise the powers and perform the functions conferred on the District Authority under this Act.

(2) A District Authority shall consist of—

(a) the District Judge who shall be its Chairman; and

(b) such other members possessing such qualifications and experience as may be prescribed and nominated by that Government.

(3) The State Government shall also appoint one of the members of the District Authority as the Secretary of that Authority.

(4) The terms and conditions of service of the members of the District Authority shall be such as may be prescribed by the State Government.

(5) The State Government shall provide every District Authority with such staff as it considers necessary for carrying out the functions assigned to the District Authorities under this Act.

(6) The administrative expenses of every District Authority, including the salaries, allowances and pensions payable to the Secretary of every District Authority and the other staff shall be defrayed out of the Consolidated Fund of the State.

(7) All orders and decisions of a District Authority shall be authenticated by the Secretary or any other officer of the Authority duly authorised by him in this behalf.

(8) No act or proceeding of a District Authority shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the District Authority.

10. (1) It shall be the duty of every District Authority to perform such of the functions of the State Authority in the District as may be delegated to it from time to time by the State Authority.

Func-
tions of
the
District
Authority.

(2) Without prejudice to the generality of the functions referred to in sub-section (1), the District Authority may perform all or any of the following functions, namely:—

- (a) coordinate the activities of legal services in the District;
- (b) organise Lok Adalats within the District; and
- (c) perform such other functions as the State Authority may, in consultation with the State Government, fix by regulations.

11. In the discharge of its functions under this Act, the District Authority shall, wherever appropriate, act in coordination with other governmental and non-governmental institutions, universities and others engaged in the work of promoting the cause of legal services to the poor and shall also be guided by such directions as the Central Authority or the State Authority may give to it in writing.

District
Autho-
rity to
act in-
coordi-
nation
with other
agencies
and be
subject
to direc-
tions
given
by the
Central
Autho-
rity, etc.

CHAPTER IV

ENTITLEMENT TO LEGAL SERVICES

12. Every person who has to file or defend a case shall be entitled to legal services under this Act if that person is,—

- (a) a member of a Scheduled Caste or Scheduled Tribe;
- (b) a victim of trafficking in human beings or *begar* as referred to in article 23 of the Constitution;
- (c) a woman or a child;
- (d) a mentally ill or otherwise disabled person;

Criteria
for
giving
legal
services,

(e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity, flood, drought, earthquake or industrial disaster; or

(f) an industrial workman; or

(g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956, or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986, or in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987; or

104 of 1956.
53 of 1986.

14 of 1987.

(h) in receipt of income less than nine thousand rupees if the case is before a court other than the Supreme Court, and less than twelve thousand rupees or such other amount as may be prescribed by the Central Government if the case is before the Supreme Court.

Entitle-
ment for
legal
services.

13. (1) Persons who satisfy all or any of the criteria specified in section 12 shall be entitled to receive legal services provided that the concerned Authority is satisfied that such person has a *prima facie* case to prosecute or to defend.

(2) An affidavit made by a person as to his income may be regarded as sufficient for making him eligible to the entitlement of legal services under this Act unless the concerned Authority has reason to disbelieve such affidavit.

CHAPTER V

FINANCE, ACCOUNTS AND AUDIT

Grants
by the
Central
Govern-
ment.

14. The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Central Authority, by way of grants, such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

National
Legal
Aid Fund.

15. (1) The Central Authority shall establish a Fund to be called the National Legal Aid Fund and there shall be credited thereto,—

(a) all sums of money given as grants by the Central Government under section 14;

(b) any grants or donations that may be made to the Central Authority by any other person for the purposes of this Act;

(c) any amount received by the Central Authority under the orders of any court or from any other source.

(2) The National Legal Aid Fund shall be applied for meeting,—

(a) the cost of legal services provided under this Act including grants made to State Authorities;

(b) any other expenses which are required to be met by the Central Authority.

16. (1) A State Authority shall establish a fund to be called the State Legal Aid Fund and there shall be credited thereto,—

State
Legal
Aid Fund.

(a) all sums of money paid to it or any grants made by the Central Authority for the purposes of this Act;

(b) any grants or donations that may be made to the State Authority by the State Government or by any person for the purposes of this Act;

(c) any other amount received by the State Authority under the orders of any court or from any other source.

(2) A State Legal Aid Fund shall be applied for meeting,—

(a) the cost of functions referred to in section 7;

(b) any other expenses which are required to be met by the State Authority.

17. (1) Every District Authority shall establish a fund to be called the District Legal Aid Fund and there shall be credited thereto,—

District
Legal
Aid
Fund.

(a) all sums of money paid or any grants made by the State Authority to the District Authority for the purposes of this Act;

(b) any grants or donations that may be made to the District Authority by any person for the purposes of this Act;

(c) any other amount received by the District Authority under the orders of any court or from any other source.

(2) A District Legal Aid Fund shall be applied for meeting,—

(a) the cost of functions referred to in section 10;

(b) any other expenses which are required to be met by the District Authority.

18. (1) The Central Authority, State Authority or the District Authority (hereinafter referred to in this section as 'the Authority'), as the case may be, shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the income and expenditure account and the balance-sheet in such form and in such manner as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

Accounts
and
Audit.

(2) The accounts of the Authorities shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority concerned to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the auditing of the accounts of an Authority under this Act shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the auditing of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authorities under this Act.

(4) The accounts of the Authorities, as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon, shall be forwarded annually by the Authorities to the Central Government or the State Governments, as the case may be.

CHAPTER VI

LOK ADALATS

Organisa-
tion of
Lok
Adalats,

19. (1) The State or District Authorities may organise Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas, as they think fit.

(2) Every Lok Adalat organised for an area shall consist of such judicial officers of the area as may be specified by the State or District Authorities organising the Lok Adalat and such other members possessing such qualifications and experience as may be prescribed by the State Government.

(3) A Lok Adalat shall have jurisdiction to determine and arrive at a compromise or settlement between the parties to a dispute in respect of any matter falling within the jurisdiction of any civil, criminal or revenue court or any tribunal constituted under any law for the time being in force in the area for which the Lok Adalat is organised.

Cogni-
zance of
cases by
Lok
Adalats.

20. (1) Where, in any suit or other proceeding which is capable of being taken cognizance of by a Lok Adalat under the provisions of this Act and pending before any court or tribunal, if the parties thereof make a joint application to the court or tribunal indicating their intention to compromise the matter or to arrive at a settlement, the presiding officer of the court or tribunal, as the case may be, may, instead of proceeding to effect a compromise between the parties or to arrive at a settlement himself, and notwithstanding anything contained in any other law for the time being in force, pass an order that the suit or proceeding shall stand transferred to the Lok Adalat for arriving at a compromise or settlement.

(2) Notwithstanding anything contained in any other law for the time being in force, the District Authority may, on receipt of an application from any person that any dispute or matter pending for a compromise or settlement needs to be determined by a Lok Adalat, refer such dispute or matter to the Lok Adalat for determination.

(3) Where any suit or proceeding is transferred to a Lok Adalat under sub-section (1) or where a reference has been made to it under sub-section (2), the Lok Adalat shall proceed to dispose of the suit, proceeding, dispute or matter and arrive at a compromise or settlement between the parties.

(4) Every Lok Adalat shall, while determining any proceeding before it under this Act, act with utmost expedition to arrive at a compromise or settlement between the parties and shall be guided by legal principles and the principles of justice, equity and fair play.

(5) Where no award is made by the Lok Adalat on the ground that no compromise or settlement could be arrived at between the parties, it shall be open to the parties to a suit or proceeding transferred from a court or tribunal under sub-section (1) to continue such suit or proceeding before such court or tribunal, or if it is a dispute or matter referred to a Lok Adalat under sub-section (1), any of the persons may institute a proceeding in an appropriate court.

(6) Where, under sub-section (5), the parties to a suit or proceeding intend to continue the proceeding in such suit or proceeding before the court or tribunal from which it was transferred, such court or tribunal shall proceed to deal with such suit or proceeding from the stage at which it was before the suit or proceeding was transferred to the Lok Adalat.

21. (1) Every award of the Lok Adalat shall be deemed to be a decree of a civil court or order of any other court or tribunal and where a compromise or settlement has been arrived at, by a Lok Adalat in a suit or proceeding transferred to it under sub-section (1) of section 20, the court fee paid in such suit or proceeding shall be refunded in the manner provided under the Court-fee Act, 1870.

Award
of Lok
Adalat.

7 of 1870.

(2) Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute, and no appeal shall lie to any court against the award.

22. (1) The Lok Adalat shall, for the purposes of holding any determination under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:—

Powers
of Lok
Adalats

5 of 1908.

(a) the summoning and enforcing the attendance of any witness and examining him on oath;

(b) the discovery and production of any document;

(c) the reception of evidence on affidavits;

(d) the requisitioning of any public record or document or copy of such record or document from any court or office; and

(e) such other matters as may be prescribed.

(2) Without prejudice to the generality of the powers contained in sub-section (1), every Lok Adalat shall have the requisite powers to specify its own procedure for the determination of any dispute coming before it.

(3) All proceedings before a Lok Adalat shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code and every Lok Adalat shall be deemed to be a civil court for the purpose of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

45 of 1860.

2 of 1974.

CHAPTER VII

MISCELLANEOUS

Members
and staff
of Autho-
rities and
Lok Ada-
lats to
be public
servants,

23. The members of the Central Authority, the State Authorities and the District Authorities, and officers and other employees provided to such Authorities and the members of the Lok Adalats shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

45 of 1860.

Protec-
tion of
action
taken in
good
faith,

24. No suit, prosecution or other legal proceeding shall lie against the Central Government or State Government or against the Chairman or any other member of any Central, State or District Authority or any other person authorised by such Chairman or other member, for anything which is in good faith done or intended to be done under the provisions of this Act or any rule, regulation or order made thereunder.

Act to
have
overri-
ding
effect.

25. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Power to
remove
difficul-
ties.

26. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date on which this Act receives the assent of the President.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

Power
of the
Central
Govern-
ment to
make
rules.

27. (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all matters in respect of which rules are required to be made by the Central Government under this Act.

Power
of the
State
Govern-
ment to
make
rules.

28. A State Government may, by notification, make rules to provide for any matter, not being a matter specified in section 27, in respect of which rules are required to be made by the State Government under this Act.

Power
to make
regula-
tions.

29. The Central Authority and every State Authority may, by notification, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, to provide for all matters in respect of which regulations are required to be made by the Central or State Authorities under this Act.

30. (1) Every rule made under this Act by the Central Government and every regulation made by the Central Authority thereunder shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

(2) Every rule made under this Act by a State Government and every regulation made by a State Authority thereunder shall be laid, as soon as may be after it is made, before the State Legislature.

Laying
of rules
and regu-
lations.

STATEMENT OF OBJECTS AND REASONS

Article 39A of the Constitution provides that the State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

2. With the object of providing free legal aid, Government had, by a Resolution dated the 26th September, 1980 appointed the "Committee for Implementing Legal Aid Schemes" (CILAS) under the chairmanship of Mr. Justice P. N. Bhagwati (as he then was) to monitor and implement legal aid programmes on a uniform basis in all the States and Union territories. CILAS evolved a model scheme for legal aid programme applicable throughout the country by which several legal aid and advice Boards have been set up in the States and Union territories. CILAS is funded wholly by grants from the Central Government. The Government is accordingly concerned with the programme of legal aid as it is the implementation of a constitutional mandate. But on a review of the working of the CILAS, certain deficiencies have come to the fore. It is, therefore, felt that it will be desirable to constitute statutory legal service authorities at the national, State and District levels so as to provide for the effective monitoring of legal aid programmes. The Bill provides for the composition of such authorities and for the funding of these authorities by means of grants from the Central Government and the State Governments. Power has also been given to the National Committee and the State Committees to supervise the effective implementation of legal aid schemes.

3. For some time now, Lok Adalats are being constituted at various places in the country for the disposal, in a summary way and through the process of arbitration and settlement between the parties, of a large number of cases expeditiously and with lesser costs. The institution of Lok Adalats is at present functioning as a voluntary and conciliatory agency without any statutory backing for its decisions. It has proved to be very popular in providing for a speedier system of administration of justice. In view of its growing popularity, there has been a demand for providing a statutory backing to this institution and the awards given by Lok Adalats. It is felt that such a statutory support would not only reduce the burden of arrears of work in regular courts, but would also take justice to the door-steps of the poor and the needy and make justice quicker and less expensive.

4. The Bill seeks to achieve the above objects. The Notes on clauses explain the provisions of the Bill in detail.

Notes on clauses

Clause 2.—This clause defines various expressions used in the Bill. Clause 2(c) defines “legal service” to include the rendering of any service in the conduct of any case before any court, authority or tribunal and the giving of advice on any legal matter.

Clause 3.—This clause provides that the Central Government shall constitute a National Legal Services Authority consisting of the Chief Justice of India as its Patron-in-Chief and a serving or retired Judge of the Supreme Court as its Executive Chairman. The Central Government will also nominate other members possessing the prescribed qualifications and experience.

Clause 4.—This clause deals with the functions of the National Legal Services Authority to be known as the Central Authority and provides, among other things, that the Central Authority will, subject to the directions of the Central Government, lay down policies and principles for making available legal services effective and economical, allocate funds to various State Authorities and District Authorities, take steps to promote the cause of social justice in various areas, organise legal aid camps, promote legal aid research, encourage settlement of disputes by way of Lok Adalats, etc.

Clause 5.—This clause provides that the Central Authority will act in coordination with governmental and non-governmental agencies, universities, etc.

Clauses 6 and 7.—These clauses provide for the constitution and functions of Legal Services Authorities at the State level. A State Authority will consist of the Chief Justice of the concerned High Court or any serving or retired Judge of the High Court nominated by the Governor in consultation with the Chief Justice who will be its Chairman with such other members nominated by the State Government possessing the prescribed qualifications and experience. Important functions of the State Authority are: providing legal aid to the persons who satisfy the criteria laid down under the Act, conducting of Lok Adalats, undertaking of preventive and strategic legal aid programmes, etc.

Clause 8.—This clause is analogous to clause 5 and provides that the State Authority will act in coordination with other governmental and non-governmental agencies, universities, etc., and will be guided by the directions of the Central or State Government or the Central Authority.

Clauses 9 and 10.—These clauses provide for the constitution and functions of Legal Service Authorities at the District level.

Clause 11.—This clause is similar to clauses 5 and 8. The District Authority will act in coordination with universities, etc., and will be guided by the directions of the Central and State Authority.

Clauses 12 and 13.—These clauses provide the criteria for entitlement to legal services to certain categories of persons such as the Scheduled Castes, the Scheduled Tribes, victims of trafficking in human beings, forced labour, women and children detained in women's homes and juvenile homes and persons undergoing psychiatric treatment in psychiatric hospitals, etc.

Clauses 14 to 17.—These clauses relate to the provisions of finance, accounts and audit. Under clause 15, a National Legal Aid Fund will be constituted by the Central Authority with the grants provided by the Central Government and with the grants or donations that may be made to that Authority by any person. A similar Fund will be established by every State Authority under clause 16 as also by the District Authority (clause 17). The State and District Legal Aid Funds will consist of grants paid by the Central Government, the State Government or by any other person for the purposes of the Act.

Clause 18.—This clause provides for the proper maintenance of accounts by the three Legal Services Authorities and for the preparation by them of annual statements of accounts including income and expenditure accounts and balance-sheets in the prescribed manner and will be audited by the Comptroller and Auditor-General of India or any person appointed by him.

Clause 19.—This clause provides that Lok Adalats are to be organised at such intervals and places as the State or District Authority thinks fit. The Lok Adalat will have the same jurisdiction as a civil, criminal or revenue court or tribunal constituted under any law for the time being in force. The qualifications and experience of the members of the Lok Adalat other than judicial officers will be as prescribed by the Legal Service Authority the State Government.

Clause 20.—If the parties to a suit or other proceeding makes a joint application to a court or tribunal indicating their intention to compromise the matter of their dispute, the Presiding Officer of the court or tribunal may pass an order transferring the suit to the Lok Adalat for arriving at a settlement. The Lok Adalat will proceed to dispose of the suit, proceeding, dispute, etc., on the basis of mutual settlement or compromise between the parties.

Clause 21.—This clause provides that every award of the Lok Adalat will be deemed to be a decree of a civil court.

Clause 22.—This clause provides that the Lok Adalats will have the same powers at that of a civil court for purposes of holding an inquiry, for summoning the parties, for production of documents, for receiving evidence on affidavits, for requisitioning public records, documents, etc.

Clause 23.—This clause provides for a deeming provision to the effect that the members, officers and employees of the various Legal Services Authorities and Lok Adalats will be public servants.

Clause 24.—This clause provides that no suit or other legal proceeding will lie against the Central or State Government or against the Central, State or District Authority for acts done in good faith.

Clause 25.—This is an overriding provision to the effect that the provisions of the Act will, notwithstanding anything inconsistent therewith contained in any other law for the time being in force, prevails.

Clause 26.—This clause provides for power to the Central Government to remove difficulties in giving effect to the provisions of the Act for a limited period.

Clause 27.—This clause provides for rule making powers of the Central Government.

Clause 28.—This clause provides for rule making powers of the State Government.

Clause 29.—This clause authorises the Central Authority and every State Authority to make regulations under the Act.

Clause 30.—This clause provides for the laying of rules before the Houses of Parliament and State Legislature.

FINANCIAL MEMORANDUM

Clause 3 of the Bill enables the Central Government to constitute a body to be called the National Legal Services Authority and it shall consist of the Chief Justice of India and some other members. An officer not lower in rank than a Special Secretary to the Government of India will be appointed as Member-Secretary of the Central Authority. Clause 12 of the Bill provides for the persons who shall be entitled to legal service. Clause 14 of the Bill empowers the Central Government to pay to the Central Authority by way of grants such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

2. The grants to be granted by the Government and all expenses incurred in connection with the administration of the National Legal Services Authority will be met from the Consolidated Fund of India. The National Legal Services Authority replaces the existing Committee for Implementing Legal Aid Schemes. The total budgetary requirement is estimated at Rs. 73.26 lakhs (Rs. 58 lakhs as grants-in-aid) for the year 1987-88. This includes Rs. 43.25 lakhs as the sanctioned budget grant for the Committee for Implementing Legal Aid Schemes for the year 1987-88, of which Rs. 30 lakhs was towards grants-in-aid for legal aid programmes. This also includes a sum of Rs. 2.01 lakhs for the appointment of one Special Secretary, by upgrading the post of the existing Secretary, CILAS, and for the three posts of the supporting staff to the Special Secretary and a one time, non-recurring expenditure on furniture, telephones and other facilities to the new functionary.

MEMORANDUM REGARDING DELEGATION LEGISLATION

Clause 27 of the Bill empowers the Central Government to make rules to carry out the provisions of the proposed legislation. These rules would relate to matters which are required to be made by the Central Government under the provisions of the Bill. Clause 28 of the Bill empowers a State Government to make rules to provide for any matter, not being a matter specified in section 27, in respect of which rules are required to be made by the State Government. Clause 29 of the Bill enables the National Legal Services Authority and every State Legal Services Authority to make regulations to provide for all matters in respect of which regulations are required to be made by such authorities under the proposed legislation.

2. The matters in respect of which rules may be made by the Central Government and the State Governments and the regulations by the various legal services authorities mentioned above would relate to matters of administrative detail and procedure. The delegation of legislative power is, therefore, of a normal character.

SUBHASH C. KASHYAP,
Secretary-General.

